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IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1959

No. 635

ALBERT SLUSARZ,
Appellant and Petitioner,

v.

FRANK CYGAN,
Appellee.

PETITION FOR REHEARING OF ORDER DENYING PETITION FOR WRIT OF CERTIORARI

ALBERT SLUSARZ,
21 Chicopee Street,
Chicopee, Mass.

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1959

No. 635

ALBERT SLUSARZ,
Appellant and Petitioner,

vs.

FRANK CYGAN,
Appellee.

MOTION FOR LEAVE TO FILE PETITION FOR REHEARING

I, the Petitioner respectfully move for leave to file the annexed petition for rehearing of the order of this Court denying my petition for a writ of certiorari in this case, Feb. 25, 1960 for these reasons;

1). Respondent poses a question for my petition for a writ of certiorari was not answered by a brief by Attorneys J. McCarthy & T. Scott for the Respondent. From this fact I take Cheer for it proves my case is debatable, thereby reviewable, for these gentlemen are Federal lawyers, who study such cases and they could not find a case similar to mine in which a petition for a writ of certiorari was denied.

2) Also in my Petitioner's Answer to Respondent's Opposition of Dec. 28, 1959. I stated that my civil rights were violated, specifically under the 14th Amendment and it is now I wish to emphasize my citizen's rights guaranteed under this Amendment for consideration, review.

ALBERT SLUSARZ

MARCH 7, 1960

PETITION FOR REHEARING OF ORDER DENYING PETITION FOR WRIT OF CERTIORARI.

I, the Petitioner pray that this Court grant me rehearing of its order of Feb. 25, 1960 denying the petition for a writ of certiorari and that a writ of certiorari issue to review the judgments of the Massachusetts Superior and Supreme Courts in the above entitled case as prayed in the petition filed Jan. 8, 1960.

REASONS FOR GRANTING REHEARING AND ISSUING WRIT

1) Rule 36 of Mass. Superior Court Rules has been violated. Public Act 103-65 of the Congress, discrimination 42 U.S.C. 1981 benefit of the laws denied, 14th Amendment.

2) CONSPIRACY. In picture Exh. #1 shows the riser on the 2nd step missing but found in place on the other 6 pictures taken at the same time 3 a.m., showing tampering by the police and respondent FRANK CYGAN who were on the scene, with evidence. Sgt. Celina who took these pictures admitted these steps were dislocated at 3 a.m. in my EXPLANATION OF THE EXHIBITS presented to this Court, as also the Bldg. Inspector, the respondent Frank Cygan and the presiding Judge Dewing who ruled against me in violation of Mass. Laws 229 Mass. 177 and contrary to the judge's own statement who said to the petitioner when shown these pictures "Yes, I see that" meaning that the step is dislocated and "You have made your point" to the petitioner's claim that

these steps were purposely dislocated. Protection of the law denied to me, mandatory under the 14th Amendment.

5. LAWLESSNESS of Mass. Courts who made findings without invoking any law, and laws pointed out to them was ignored, as also all testimony of this trial in violation of Mass. Bill of Rights, which state that this shall be a Rule of Law and not of men, benefit of the laws denied in violation of the 14th Amendment. Discrimination 42 U.S.C. 1981.

A certain Dimitroff, Bulgarian communist was on trial for setting fire to the German Parliament Building in Berlin 1936 when Hitler won the election in Germany and was in power, and yet Dimitroff was set free though surrounded by enemies because the law invoked in this trial; but me, a citizen, veteran of the U.S. Army, the benefit of all laws was denied in Mass. Courts.

6. Had I lost this case in Mass. before a jury I would not have appealed to this High Court, for I know that this High Court has other matters, more weighty to decide than the supposed injustice to a private individual, for the particular jury is a passing phase, its members disbanded and over with in court, but I was judged by a judge without jury and in Mass. judges are chosen for life and not only by one but by a number of judges, who all acted the same to me and also to other laymen pro se and I invoke the protection of the Constitution and Federal Court against the injustices done to me and here I also speak for others, it is in other words the principle of the thing, citizen's rights at stake in Mass courts.

7) Furthermore there is expropriation of my property which is palpably forbidden by this 14th Amendment, granting to a citizen these unalienable rights and I do not comprehend how these facts are consistent with the Court's decision here

Again; I beg to respectfully suggest that under the Soldier's and Sailor's Relief Act and Amendments that I am additionally deprived of my obvious rights.

I therefore deem that I have rights to have the entire Court, hear my pleading to make the law consistently equal and compelling in this entire matter, otherwise the 14th Amendment has no meaning.

Thanking you for a reply

respectfully yours.

ALBERT SLUSARZ.

CERTIFICATE OF GOOD FAITH

I hereby certify that the foregoing petition for rehearing is presented in good faith and not for delay and is restricted to grounds specified in Rule 33 of the rules of this Court.

ALBERT SLUSARZ.

21 Chicopee Street.

Chicopee, Mass.